

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<b><u>[PROPOSED] ORDER</u></b>
	:	
- v. -	:	23 Cr. 438 (NRB)
	:	
TIMOTHY GLOVER,	:	
	:	
Defendant.	:	
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WHEREAS, the above-named defendant, Timothy Glover, is presently in federal custody under the supervision and control of the United States Marshal;

WHEREAS, an application having been made by counsel for the defendant, Kristoff Williams, with the consent of the United States Attorney for the Southern District of New York, Damian Williams, by and through Assistant United States Attorney Sarah L. Kushner;

WHEREAS, on or about November 10, 2023, Dr. Cheryl Paradis conducted a psychological examination of Mr. Glover, and prepared a psychological report ("Report"), dated November 30, 2023, that was provided to the Court;

WHEREAS, that Report concluded that Mr. Glover is "currently suffering with a mental disease/defect which renders him mentally incompetent to the extent that he is either unable to understand the nature and consequences of the proceedings against him or to assist in his defense";

WHEREAS, in light of the Report's uncontested conclusions, pursuant to §4241(d), this Court finds by a preponderance of the evidence Mr. Glover is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense;

IT IS HEREBY ORDERED that, pursuant to section 4241(d), Mr. Glover be committed to the custody of the Attorney General for purposes of hospitalizing Mr. Glover for treatment in a suitable facility for such a reasonable period of time, not to exceed four months, as is necessary


to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the proceedings to go forward; and for an additional reasonable period of time until his mental condition is so improved that trial may proceed, if the Court finds that there is a substantial probability that within such additional period of time he will retain the capacity to permit the proceedings to go forward. If, at the end of this time period, it is determined that the defendant's mental condition has not so improved as to permit the proceedings to go forward, the defendant shall be subject to the provisions of section 4246.

IT IS FURTHER ORDERED that the Bureau of Prisons shall immediately inform the Court as soon as they are in receipt of this Order and that they shall commit Mr. Glover to the custody of the Attorney General no later than January 8, 2024.

IT IS FURTHER ORDERED that the Bureau of Prisons and/or the Attorney General shall contact Assistant United States Attorney Sarah L. Kushner (sarah.kushner@usdoj.gov) and Assistant Federal Defender Kristoff Williams (kristoff\_williams@fd.org) by email prior to the conclusion of Mr. Glover's four-month hospitalization term and inform them of whether: (1) Mr. Glover's capacity has been restored to permit criminal proceedings to move forward; or (2) an additional, reasonable period of time will be requested to restore Mr. Glover to capacity. At the conclusion of Mr. Glover's hospitalization, the Bureau of Prisons, the Attorney General, and/or the U.S. Marshal shall notify the Court, Assistant United States Attorney Sarah L. Kushner, and Assistant Federal Defender Kristoff Williams as soon Mr. Glover has been returned to a pre-trial federal detention center.

SO ORDERED.

Dated: New York, New York  
December 27 2023

  
HONORABLE NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE